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HAGENS BERMAN



April 15, 2024

By ECF

Hon. Brian R. Martinotti, U.S.D.J.
United States District Court
Martin Luther King Federal Bldg.
& U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: *In re Insulin Pricing Litigation* – Joint Letter on behalf of the Class
Plaintiffs and Eli Lilly and Company in the Indirect Purchaser Consumer
Action (Case No. 2:17-cv-699)

Dear Judge Martinotti:

In response to the Court's April 13, 2024 text order, Plaintiffs and Eli Lilly and Company ("Lilly") have met and conferred and agree that the termination of the July 24, 2023 Amended Class Action Settlement Agreement (ECF No. 656-1) and withdrawal of Plaintiffs' motion for preliminary approval (ECF No. 639) impacts the pending litigation as follows and the parties request that the Court so order:

1. Lilly and Plaintiffs hereby terminate the July 24, 2023 Amended Class Action Settlement Agreement (ECF No. 656-1).
2. Lilly and Plaintiffs lift the March 26, 2024 joint stipulation staying all deadlines as to Lilly (ECF No. 735).
3. Lilly's deadline to respond to Plaintiffs' Fourth Amended Class Action Complaint (ECF No. 732) shall be May 17, 2024, consistent with Defendants Novo Nordisk Inc. and Sanofi-Aventis U.S. LLC's deadline. Plaintiffs agree that they will stipulate to a reasonable extension of the deadline if requested.

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The parties will submit a separate stipulation later this week related to the Court's Opinion and Order denying class certification.

The parties are available to answer any other questions the Court may have.

Respectfully submitted,

INTERIM CO-LEAD COUNSEL FOR PLAINTIFFS AND THE CLASS

Steve W. Berman

James E. Cecchi